



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA

ZONING CHANGE REPORT



This item was continued by Council at the February 15, 2016 public hearing. Information added to this report is shown as underlined.

Meeting Date: March 21, 2016

Table A. Summary				
Application Summary				
Case Number	Z1500009		Jurisdiction	City
Applicant	Wood Partners		Submittal Date	February 9, 2015
Reference Name	Farrington Mixed Use		Site Acreage	19.95
Location	5708 Farrington Road, between Rutgers Place and NC 54 Highway			
PIN(s)	0708-01-48-2313, -1019, -47-1673, -1083			
Request				
Proposed Zoning	Mixed Use with a development plan (MU(D))	Proposal	Mix of office and residential	
Site Characteristics				
Development Tier	Suburban			
Land Use Designation	Office			
Existing Zoning	Office Institutional with a development plan (OI(D)) and Residential Suburban – 20 (RS-20)			
Existing Use	Undeveloped, single-family residential, place of worship			
Overlay	F/J-B, MTC	Drainage Basin	Jordan Lake	
River Basin	Cape Fear	Stream Basin	Little Creek, New Hope Creek	
Staff	Staff determines that this request is consistent with the <i>Comprehensive Plan</i> and other adopted policies and ordinances.			
Planning Commission	Recommend denial, 8-2, on December 8, 2015. The Planning Commission finds that the ordinance request is consistent with the adopted <i>Comprehensive Plan</i> . However, the Planning Commission believes the request is not reasonable nor in the public interest and recommends denial based on comments received at the public hearing, problems with traffic congestion, inadequate transportation infrastructure and lack of affordable housing provided.			

Determination/Recommendation/Comments	
DOST	No comments
BPAC	No comments
Town of Chapel Hill	See Attachment 7
Triangle Transit	See Attachments 8, 9, 10

A. Summary

This is a request to change the zoning designation of four parcels totaling 19.95 acres from OI(D) and RS-20 to MU(D) for a project with a proposed mix of uses to include 500-600 residential units, 100,000 – 173,000 square feet of office use, and a 100,000-500,000 square foot parking structure, with a commitment for one vertically-integrated building in the first phase of construction. The site is located at 5708 Farrington Road, between Rutgers Place and NC 54 Highway (see Attachment 1, Context Map). This zoning request is consistent with the future land use map designation of the *Comprehensive Plan* as well as other adopted policies and ordinances.

Appendix A provides supporting information.

B. Site History

The existing OI(D) zoning designation at 5936 Farrington Road (PIN 0708-01-47-1083) was approved by Council on September 3, 2013. The development plan associated with this parcel permits a maximum of 168,000 square feet of floor area and 192,000 square feet of parking garage. A site plan, D1500100, has been submitted for an office building and associated parking. It is conceivable that this site plan, for an office building and associated parking will be approved prior to this zoning map change application being approved.

The applicant has provided an explanation of how the pending site plan and this zoning map change proposal will work together in Attachment 11, Applicant's Addendum of Change.

This site is located within the Leigh Village Suburban Transit Area. In February 2015, the Planning Department began the planning process for the Compact Neighborhood Future Land Use Map Update (CNFLUMU) that aims to amend the future land use map of the *Comprehensive Plan* to better reflect the current light rail transit proposal. The subject area is included within one of the study areas. In June 2015, Planning staff held the second public meeting for the proposed Leigh Village area and presented a boundary that included the subject site (see Attachments 12 and 13) and outlined the recommended changes which include converting this Suburban Transit Area to a Compact Neighborhood Tier and changing the future land use designation to Design District. The Design District designation would direct future rezonings to use the Compact Design District (a form-based district that encourages a mix of uses and emphasizes pedestrian-oriented design). This item will be considered by Planning Commission at their January 12, 2016 meeting.

C. Review Requirements

Planning staff has performed a sufficiency review for this Zoning Map Change request (reference UDO Sec. 3.2.4, Application Requirements [general] and 3.5.5, Application Requirements [for a Zoning Map Change]). This staff report presents the staff findings per Sec. 3.5.8, Action by the Planning Director, on the request's consistency with the Unified Development Ordinance and applicable adopted plans.

This review is based primarily on compliance with any applicable laws, plans, or adopted policies of the City Council. Any issues or concerns raised in this report are based on best professional planning practice unless they have a basis in adopted plans, policies, and/or laws.

D. Unified Development Ordinance (UDO) Compliance

This request is consistent with the requirements of the Unified Development Ordinance. The associated development plan (see Appendix A, Attachment 4, Development Plan reduction) provides the required elements for zoning map change requests in the MU district (Sec. 3.5.6.D and 6.11.7). In addition, commitments in excess of UDO requirements have been made (see Appendix D for supporting information):

Text Commitments. Text commitments have been proffered to commit to requirements in excess of ordinance standards. A summary of these commitments includes affordable housing, phasing, providing a bus shelter, landscape design guidelines, site driveway improvements, providing additional pavement along Farrington Road, making improvements to Rutgers Drive, Cleora Drive and Crescent Drive with sidewalks, bicycle accommodations, and restrictions of site design and amenities.

Graphic Commitments. Graphic commitments include the general location of site access points, ~~and~~ building and parking envelope, and locations identified to clarify referenced text commitments.

Design Commitments. Design Commitments are required of zoning requests that include a development plan for nonresidential or multifamily projects. This request includes commitments that specify the committed design elements proposed for the site.

Phasing Plan. Text commitment #4 states this project will be completed in 3 phases.

Landscape Design Guidelines. Text commitments have been proffered to include native and water wise species in the planting palate.

Determination. The requested MU(D) zoning district and associated development plan meets or exceeds the applicable requirements of the UDO. If this zoning map change request is approved, the attached development plan (Appendix A, Attachment 4) establishes the level of development allowed on the property. This includes a maximum of 600 residential units, a maximum of 173,000 square feet of office uses, and a maximum 500,000 square feet of parking structure.

E. Adopted Plans

A zoning map change request must be consistent with the *Comprehensive Plan*. As such, other adopted plans have been included by reference in this document. Table E, Adopted Plans, in Appendix E identifies the applicable policies of the *Comprehensive Plan* and other adopted plans included by reference.

Determination. The requested zoning district and associated development plan is consistent with the Future Land Use Map and other policies of the *Comprehensive Plan*.

Other review criteria include:

Suburban Transit Area. The site is within the Leigh Village Suburban Transit Area, so designated in 2005 with the adoption of the *Comprehensive Plan* when the plan recognized the location of the Leigh Village Station. *Comprehensive Plan* policies are to encourage development standards and densities supportive of transit in Suburban Transit Areas. The future land use designation for this area is Office. The proposal includes office as a committed future use in the MU(D) district and the UDO allows a maximum density 53 DU/Ac. by committing to Compact Neighborhood Tier standards.

NC 54/I-40 Corridor Study. In 2011, the NC 54 Highway and Interstate-40 corridor was studied by the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization along with input from a broad group of study partners including The City of Durham and Durham County. A result of the study included generalized land use recommendations that were intended to influence Durham's land use policies, but not supersede them. The land use concept for the Leigh Village Station shows the highest density mixed-use areas within ¼ mile of the proposed station with development intensity scaled down in a concentric ring pattern. The site in question is shown to be located in proposed Mixed Use 1 and 2 areas which allows for densities 20-60 DU/Ac.

Southwest Durham-Southeast Chapel Hill Collector Street Plan. The Southwest Durham-Southeast Chapel Hill Collector Street Plan shows Cleora Drive and Rutgers Place as collector streets along the frontage of this site and Farrington Road as a higher classification facility.

Proposed Transportation Infrastructure. Through the development plan, the applicant is committing to improvements on Crescent Drive, Farrington Road, NC 54 Highway, and Rutgers Drive. These improvements include installing a bicycle lane along Farrington Road, providing a bus public transit stop along this street, and installing turn lanes on this street. The applicant will also build Crescent Drive and Rutgers Drive to public street standards. Additionally, the applicant will construct four new turn lanes at the intersection of Farrington Road at NC 54 Highway. See the development plan (Attachment 4) for a full list of text commitments.

GoTriangle. GoTriangle reviewed the request and found that the site does not appear to be within the proposed alignment for the proposed Durham-Orange Light Rail (D-O LRT) project. GoTriangle comments can be seen as Attachment 8, 9, and 10.

Durham Comprehensive Plan. *Comprehensive Plan policy 8.1.2.j* indicates that Staff should recommend denial of requests in which the adjacent street is operating over capacity and the request would increase the trips generated to 110% of the road capacity. The impact of traffic generation of the proposed use does not project the level of service impact for adjacent streets to be over capacity. NC 54 Highway, which is located in close proximity to the site but not adjacent, is currently operating at approximately 108% of capacity and the request would increase that number to more than 110%. However, staff finds the improvements identified in the attached TIA and committed to by the applicant to mitigate these potential impacts.

Affordable Housing Goal. Although not an adopted plan or policy, City Council passed a resolution (see Attachment 14) containing a goal “to preserve and increase the stock of affordable housing within a half-mile of each of the proposed Durham-Orange rail transit station and endorse the objective of achieving at least fifteen (15%) of housing units within one half-mile of each rail transit station and bus hub be affordable to families with income less than sixty percent (60%) of area median income”.

Staff has analyzed baseline (i.e.: current) housing affordability in the planned Leigh Village station area and found 71 total occupied housing units within a ½ mile radius. Ten (10) of those units – or 14.1% – are considered affordable. The applicant proposes 600 new units as part of this request. None of the units proposed are designated as affordable units. If this request is approved and the maximum number of units built, the total units within the ½ mile radius would be 671, with 10 affordable units; a total of 1.5% assuming no other market rate or affordable units are built in the Leigh Village station area.

Conditions in other adopted plans have been identified (see Appendix E, Table E):

Long Range Bicycle Plan Map 4.6. A proposed bicycle lane is shown as a recommendation of the Long Range Bicycle Plan Map 4.6 along Farrington Road. Through the development plan, the applicant has committed to installing a bicycle lane along their portion of Farrington Road.

F. Site Conditions and Context

Site Conditions. This 19.95 acre site is comprised of four parcels generally located at 5708 Farrington Road. The site is at the northwest quadrant of NC-54 at Interstate-40. An existing place of worship and single family residence at the site will be removed if the request is approved.

West of the site, across Crescent Drive, is a mix of single family homes and vacant residential properties. To the east, across Farrington Road, there are commercial and office buildings. South of the site are medical office buildings and north of the site, across Rutgers place, are vacant residentially zoned properties.

Area Characteristics. The site is in the Suburban Tier, Suburban Transit Area in close proximity to the NC 54/I-40 interchange, which has been included in the NC 54/I-40 Corridor Study. Traveling west on NC 54 Highway is a major route of access to Chapel Hill;

traveling east provides immediate access to Interstate 40. Farrington road provides access to Durham County and portions of Chapel Hill to the south and crosses I-40 to the north. The surrounding zoning districts include Commercial Neighborhood (CN), Commercial Neighborhood with a development plan (CN(D)), Office Institutional (OI(D)) and Residential Suburban-20 (RS-20).

This area is within two zoning overlay districts. The F/J-B Watershed Protection Overlay district limits impervious surface allowances on proposed development. The Major Transportation Corridor (MTC) I-40 Overlay was established to enhance the economic and aesthetic appeal of properties adjacent to major transportation corridors and to improve traffic efficiency and safety by reducing visual clutter.

Appendix F provides a summary of the uses and zoning in the more immediate vicinity of the subject site.

Determination. The proposed MU(D) zoning district and associated development plan meets the ordinance and policy requirements in relation to development on the subject site. Increasing the site's residential and nonresidential development capacity would further support the proposed new transit stop which is located in close proximity to the subject site.

G. Infrastructure

The impact of the requested change has been evaluated to suggest its potential impact on the transportation system, water and sewer systems, and schools. In each case, the impact of the change is evaluated based upon a change from the most intense development using the existing land use and zoning to the most intense use allowed under the request.

See Appendix G for additional information.

Determination. The proposed MU(D) district and associated development plan is consistent with *Comprehensive Plan* policies regarding the infrastructure impacts of road, transit, utility, drainage/stormwater, schools and water supply. The proposal is estimated to increase the traffic generation of the subject site by 9,486 daily trips, increase the students generated from the proposed use by 192 students, and increase the estimated water demand of the site by 65,345 gallons per day. The existing infrastructure has available capacity to meet these increases.

Transportation System Impacts. The proposal is estimated to increase the daily vehicle trips by 9,486. A Traffic Impact Analysis (TIA) was required of this project and a number of mitigation measures were identified (see Attachments 15 and 16 for City Transportation's and NCDOT's analysis). The development plan includes these recommendations as commitments.

Present Transportation Infrastructure. Farrington Road, immediately adjacent to the site, is currently operating at 11,000 trips per day, which is under capacity. NC 54 Highway, not

directly adjacent to the site, is presently operating over capacity. See Table G1 for additional information.

Comprehensive Plan Policy Compliance. The existing place of worship currently generates approximately 125 vehicles per day. The proposed rezoning is estimated to generate an additional 9,486 vehicles per day above existing conditions. Based on the TIA trip distribution, the proposed zoning will result in a net impact of an additional 6,144 trips per day added to this segment of Farrington Road. With the additional site trips, the adjacent segment of Farrington Road will have an estimated traffic volume of 17,144 vehicles per day. This will result in Farrington Road operating at 107.3% of LOS D capacity.

The proposed zoning will result in a net impact of an additional 2,937 trips per day added to four-lane section NC 54 Highway (west of Falconbridge Road). With the additional site trips, this segment of NC 54 Highway will have an estimated traffic volume of 47,937 vehicles per day. This will result in NC 54 Highway operating at 114.7% of LOS D capacity.

Durham Comprehensive Plan Policy 8.1.2h requires the Planning Department to recommend denial of any zoning map change which would result in the average daily trips exceeding 110% of the adjacent roadway capacity, unless mitigated. Through the associated TIA improvements, the average daily trips will not exceed 110% capacity on Farrington Road, which is directly adjacent to the site therefore complying with *Durham Comprehensive Plan* Policy 8.1.2h.

Proposed Transportation Infrastructure. Through the development plan, the applicant is committing to improvements on Crescent Drive, Farrington Road, NC 54 Highway, and Rutgers Drive. These improvements include installing a bicycle lane along Farrington Road, providing a bus public transit stop along this street, and installing turn lanes on this street. The applicant will also build Crescent Place and Rutgers Drive to public street standards. Additionally, the applicant will construct four new turn lanes at the intersection of Farrington Road at NC 54 Highway. See the development plan (Attachment 4) for a full list of committed elements.

H. Staff Analysis

Staff determines this request is consistent with the *Comprehensive Plan* and other policies and ordinances. If the proposed and future Comprehensive Tier designation is approved for the subject site, the development plan would further establish the development potential of the site considering the text and graphic commitments proffered.

I. Contacts

Table I. Contacts		
Staff Contact		
Amy Wolff, Senior Planner	Ph: 919-560-4137, ext. 28235	Amy.Wolff@DurhamNC.gov
Applicant Contact		
Agent: Bob Zumwalt, The John R. McAdams Company	Ph: 919-361-5000	zumwalt@mcadamsco.com

J. Notification

Staff certifies that newspaper advertisements, letters to property owners within 600 feet of the site and the posting of a zoning sign on the property has been carried out in accordance with Section 3.2.5 of the UDO. In addition, the following neighborhood organizations were mailed notices:

- Inter-Neighborhood Council
- Fayetteville Street Planning Group
- Friends of Durham
- Unity in the Community for Progress
- Town of Chapel Hill
- Cross-County Communities Association
- Eastwood Park Neighborhood Association
- Farrington Homeowners Allied for Residential Preservation
- Woodland Acres Homeowners Association
- Downing Creek

K. Summary of Planning Commission Meeting December 8, 2015 (Case Z1500009)

Zoning Map Change Request: Office Institutional with a development plan (OI(D)) and Residential Suburban – 20 (RS-20) to Mixed Use with a development plan (MU(D)). PIN(s): 0708-01-48-2313, -1019, -47-1673, -1083.

Staff Report: Ms. Wolff presented Z1500009.

Public Hearing: Chair Harris opened the public hearing. Two citizens spoke in support, three against, and one undecided. Chair Harris closed the public hearing.

Commission Discussion: The discussion centered on traffic, affordable housing, open space and activities at the northern end of the site.

MOTION: Move forward Z1500009 to the City Council with a favorable recommendation. (Miller, Whitley 2nd).

ACTION: Failed, 8-2, with Kenchen and Whitley voting yes.

FINDINGS: The Planning Commission finds that the ordinance request is consistent with the adopted *Comprehensive Plan*. However, the Planning Commission believes the request is not reasonable nor in the public interest and recommends denial based on comments received at the public hearing, problems with traffic congestion, inadequate transportation infrastructure and lack of affordable housing provided.

L. Supporting Information

Table K. Supporting Information		
Applicability of Supporting Information		
Appendix A	Application	Attachments: <ol style="list-style-type: none"> 1. Context Map 2. Future Land Use Map 3. Aerial Photography 4. Development Plan Reduction 5. Application 6. Submittal and Review History 7. Town of Chapel Hill Comments 8. Triangle Transit Comments 9. TTA D-O LRT Illustrative Layout 10. TTA LRT Alignment and Station
Appendix B	Site History	Attachments: <ol style="list-style-type: none"> 11. Applicant's Addendum of Change 12. Leigh Village Recommended Tier Boundary 13. Leigh Village Recommended Changes
Appendix C	Review Requirements	N/A
Appendix D	Unified Development Ordinance	Table D1: Designation Intent Table D2: District Requirements Table D3: Project Boundary Buffers Table D4: Summary of Development Plan
Appendix E	Adopted Plans	Table E: Adopted Plans Attachments: <ol style="list-style-type: none"> 14. Affordable Housing Around Transit Resolution
Appendix F	Site Conditions and Context	Table F: Site Context
Appendix G	Infrastructure	Table G1: Road Impacts Attachments: <ol style="list-style-type: none"> 15. DDOT TIA Memorandum 16. NCDOT TIA Memorandum Table G2: Transit Impacts Table G3: Utility Impacts

Table K. Supporting Information		
		Table G4: Drainage/Stormwater Impacts Table G5: School Impacts Table G6: Water Impacts Table G7: Affordable Housing Impacts
Appendix H	Staff Analysis	N/A
Appendix I	Contacts	N/A
Appendix J	Notification	N/A
Appendix K	Summary of Planning Commission Meeting	Attachments: 17. Planning Commissioner's Written Comments 18. Ordinance Form 19. Consistency Statement

Appendix A: Application Supporting Information

Attachments:

1. Context Map
2. Future Land Use Map
3. Aerial Photography
4. Development Plan Reduction
5. Application
6. Submittal and Review History
7. Town of Chapel Hill Comments
8. Triangle Transit Comments
9. TTA D-O LRT Illustrative Layout
10. TTA LRT Alignment and Station

Appendix B: Site History

Attachments:

11. Applicant's Addendum of Change
12. Leigh Village Recommended Tier Boundary
13. Leigh Village Recommended Changes

Appendix D: Unified Development Ordinance Supporting Information

Table D1. UDO Designation Intent	
MU	Mixed Use: the MU district is established to provide innovative opportunities for an integration of diverse but compatible uses into a single development that is unified by design features. A development plan is required with a request for this district; which shows a conceptual representation of the proposed site that indicates how the ordinance standards could be met. Any significant change to the development plan would require a new zoning petition.
D	Development Plan – the letter “D” following a zoning district indicates that a development plan has been included with a zoning map change request. This designation may be added to any zoning map change request to signify that a conceptual representation of the proposed site has been submitted that indicates how the proposed development could meet ordinance standards. Any significant change to the development plan would require a new zoning petition.
F/J-B	<p>Falls/Jordan District B – the purpose of the F/J-B Watershed Protection Overlay district is to preserve the quality of the region's drinking water supplies through application of the development standards intended to protect the environment. In general, water supply protection will be accomplished by establishing and maintaining low intensity land use and development on land near the region's water supply rivers and reservoirs. Where high density development is desired, water supply protection will be accomplished through the use of engineered stormwater controls. The overall objective is to:</p> <ul style="list-style-type: none"> • Reduce the risk of pollution from stormwater running off of paved and other impervious surfaces; and • Reduce the risk of discharges of hazardous and toxic materials into the natural drainage system tributary to drinking water supplies.
MTC	Major Transportation Corridor Overlay – the MTC Overlay district is established to enhance the economic and aesthetic appeal and orderly development of properties adjacent to major transportation corridors. The MTC district requires buffers next to major transportation corridors and limits the height of signs.

Table D2. District Requirements – MU			
	Code Provision	Required	Committed
Uses	6.11.7.A	Residential and at least one of the following: public and civic, commercial, or office	Residential: 500-600 units Office: 100,000-173,000 square feet Parking Structure: 100,000-500,000 square feet
Minimum Site Area (acres)	6.11.7.B.1	4	19.95
Use Area	6.11.7.B.2	No single use to occupy more than 60% of gross acreage	No single use to occupy more than 60% of gross acreage
Transitional Use Area (TUA)	6.11.7.C	Use and building scale to match adjacent property and no more than one story (15 foot) height differential within the 50-foot buffer	Use and building scale to match adjacent property and no more than a one story (15 foot) height differential within 50-foot buffer
Maximum Residential Density (DU/Ac.)	6.11.7.D	53.0	30.08
Nonresidential Intensity	6.11.7.E	Minimum floor area = 30% of parcel	Minimum floor area = 30% of parcel
Maximum Height (feet)	6.11.7.F	145 if shown	120
Maximum Street Yard (feet)	6.11.7.G.3	15	15
Open Space	6.11.7.H	2% (0.4 acres)	2% (0.4 acres)
Bus Shelter	6.11.7.N.1	Construct bus shelter if adjacent to transit line	Construction a bus shelter per text commitment #2

Table D3. Project Boundary Buffers			
Cardinal Direction	Adjacent Zone	Required Opacity	Proposed Opacity
North	RS-20	0.4/0.6	0.6 (20 feet)
East	OI(D), CN	N/A (right-of-way greater than 60 feet)	N/A
South	CN	N/A	N/A
West	RS-20	0.4/0.6	0.6 (20 feet)

Table D4. Summary of Development Plan		
Components	Description	Development Plan Sheet
Required Information	Intensity/Density. Residential: 500-600 units (825.06-30.08 DU/Ac.) Office: 100,000-173,000 square feet Parking Structure: 100,000-500,000	Cover
	Building/Parking Envelope has been appropriately identified.	D-1
	Project Boundary Buffers have been appropriately identified against properties in the Suburban Tier.	DP-1
	Stream Crossing. No additional stream crossings identified.	D-1
	Access Points. Five access points have been defined. One from Farrington Road, two from Crescent Drive, two from Celora Drive, and three cross access drives to the south.	D-1
	Dedications and Reservations. None.	N/A
	Impervious Area. 70% Maximum = 13.965	Cover
	Environmental Features. No Environmental Features of note are shown	N/A
	Areas for Preservation. None.	N/A
	Tree Coverage. None required in the Compact Neighborhood Tier.	N/A
Graphic Commitments	Location of access points. Building and Parking envelope.	D-1
Text Commitments	<ol style="list-style-type: none"> <u>The project will include at least one vertically integrated building in the first phase consisting of a minimum of 5,000 SF of ground floor office space.</u> Transit improvements to serve the site will be provided along Farrington Road as determined by the City of Durham, Triangle Transit, and DATA at the time of site plan submittal. The transit improvements may include a bus pull-out, concrete pad, shelter, bench, and associated sidewalk connectivity. Prior to the issuance of a certificate of occupancy, a minimum of four feet of additional asphalt (in addition to the proposed roadway improvements) will be provided for the full frontage of the site along the west side of Farrington Road. The additional asphalt widening will be provided to allow for a bicycle lane. Phasing Plan: project will be constructed in three phases. Each phase will contain sub-phases such that certificates of occupancy can be attained while project is under construction. Components in each of the two proposed uses will be developed in the first phase. 	Cover

Table D4. Summary of Development Plan		
	<ol style="list-style-type: none"> 5. Landscape Guidelines: throughout the project, the landscape species palate will include, but not be limited to, native and water wise species, as defined by the Unified Development Ordinance and the Landscape Manual for Durham, NC. 6. Prior to the issuance of any Certificate of Occupancy, Rutgers Place and Crescent Drive will be improved to public street standards for the frontage of the site and through the frontage of site identified as PIN 0708-01-38-9418 as shown on sheet D-1. Rutgers Drive will be constructed to provide a three lane cross-section, and Crescent Drive will be constructed to provide a two-lane cross-section. Sidewalk will be provided along the project site frontage on both Rutgers Drive and Crescent Drive, and bicycle accommodations will be provided along both Rutgers Drive and Crescent Drive in accordance with UDO Sections 12.4.4.B and 12.4.4.C. 7. Prior to the issuance of any Certificate of Occupancy, Cleora Drive will be improved to City of Durham public street standards. Cleora Drive will be constructed to provide a three lane cross-section with curb, gutter, and sidewalks along both sides of the road. Bicycle accommodations will be provided along Cleora Drive in accordance with UDO Sections 12.4.4.B and 12.4.4.C. 8. On-site structures located opposite PIN 0708-01-38-8347 and 0708-01-38-9418 and within 125 feet of the eastern edge of the Crescent Drive right-of-way (see sheet D-1 for location) shall not contain any individual units with open balconies or porches facing west. 9. Open space features located north of the "open space line" shown on sheet D-1 shall comply with the following: <ul style="list-style-type: none"> -play structures and outdoor music venues shall not be allowed. -pocket parks shall be designed to accommodate passive activities such as gardens, picnic area, seating areas or informal play lawns. -dog parks shall be enclosed with a minimum 42-inch high decorative black aluminum fence. 10. <u>"The developer/owner will provide 10 units of affordable rental units at 80% of AMI and 10 units of affordable rental units at 60% AMI, prior to the issuance of the final Certificate of Occupancy in Phase II of the residential portion of the project. These units will be provided for 25 years. In the event The City of Durham establishes a program in the future which provides</u> 	

Table D4. Summary of Development Plan		
	<p><u>incentives for Affordable Housing Units, this project shall not be prohibited from participating in such a program. Each year following the final Certificate of Occupancy for Phase II of the residential portion of the project, the Owner of record will provide annual certification of compliance with this commitment to the Durham City-County Planning Department. The Owner of record shall pay a penalty of \$1000 per non-compliant unit made payable to The City of Durham for each unit not meeting this threshold for any given year of service.</u></p> <p>SUMMARY OF REQUIRED TIA IMPROVEMENTS</p> <p>The following Roadway improvements shall be provided prior to the issuance of a Certificate of Occupancy.</p> <p><u>NC 54 AND FARRINGTON ROAD</u></p> <ol style="list-style-type: none"> 1. Construct a second southbound left-turn lane on Farrington Road at NC 54 with adequate storage and appropriate tapers. 2. Extend the existing eastbound left-turn lane on NC 54 at Farrington Road to provide adequate and appropriate tapers. 3. Construct an exclusive eastbound right-turn lane on NC 54 at Farrington Road with adequate storage and appropriate tapers. 4. Construct an exclusive westbound right-turn lane on NC 54 at Farrington Road with adequate storage and appropriate tapers. <p><u>FARRINGTON ROAD</u></p> <ol style="list-style-type: none"> 1. Construct a concrete island per City of Durham and NCDOT standards along Farrington Road from NC 54 to Cleora Drive. 2. A minimum of four feet of additional asphalt (in addition to the proposed roadway improvements) will be provided for the full frontage of the site along the west side of Farrington Road. The additional asphalt widening will be provided to allow for a bicycle lane. 3. Transit improvements to serve the site will be provided along the adjacent public streets as determined by the City of Durham, Triangle Transit, and DATA at the time of site plan submittal. The transit improvements may include a bus pull-out, concrete pad, shelter, bench, and associated sidewalk connectivity. <p><u>FARRINGTON ROAD AND RUTGERS PLACE</u></p> <ol style="list-style-type: none"> 1. Construct an exclusive northbound left-turn lane on Farrington Road at Rutgers Place with adequate storage 	

Table D4. Summary of Development Plan		
	<p>and appropriate tapers.</p> <p><u>FARRINGTON ROAD AND CRESCENT DRIVE</u></p> <ol style="list-style-type: none"> 1. Improve Rutgers Place and Crescent Drive to NCDOT and City of Durham public street standards to provide the laneage, sidewalks and bicycle accommodations as noted elsewhere on the plan. <p><u>FARRINGTON ROAD AND CLEORA DRIVE</u></p> <ol style="list-style-type: none"> 1. Construct an exclusive northbound left-turn lane on Farrington Road at Cleora Drive with adequate storage and appropriate tapers. <p><u>CLEORA DRIVE</u></p> <ol style="list-style-type: none"> 1. Improve Cleora Drive to NCDOT and City of Durham public street standards to provide a three-lane curb and gutter cross-section with bicycle accommodations and sidewalks as noted elsewhere on the plan. <p><u>FARRINGTON ROAD AND SITE DRIVEWAY</u></p> <ol style="list-style-type: none"> 1. Construct an exclusive northbound left-turn lane on Farrington Road at the proposed site driveway with adequate storage and appropriate tapers. <p><u>CROSS-ACCESS DRIVEWAY</u></p> <ol style="list-style-type: none"> 1. Provide a cross-access connection via the adjacent parcel(s) to the south for a driveway connection between the site and the NC 54 service road. 	
SIA Commitments	None provided	N/A
Design Commitments (summary)	<p>Architecture style: defined by roofline, materials, and features described below.</p> <p>Rooflines: pitched, baled, or flat roofs with parapets. Rooflines or parapet walls will remain horizontal but adjust in height. There will be no roof over the top level of the parking deck.</p> <p>Building Materials: one or more of the following: brick and/or architectural block, terra cotta, aluminum panel, metal panel, and/or glass, traditional and/or synthetic stucco, precast concrete panels, split face of ground face CMU, stone or cultured stone, glass, EIFS, durable fabric, vinyl or metal accents (for any awnings and/or porte-cochere), cementitious siding and trip, vinyl siding, shingle or metal roofs.</p> <p>Architectural features: no distinctive features.</p> <p>Transition to Context: transition through use of similar materials listed above.</p>	Cover

Appendix E: Adopted Plans Supporting Information

Table E. Adopted Plans	
Comprehensive Plan	
Policy	Requirement
Future Land Use Map	<p>Office Defined: Land used primarily for office uses. This land use category may be accommodated by the Office and Institutional (OI) zoning district and the Mixed Use (MU) district.</p> <p>Compact Neighborhood Tier: areas identified for high density and intensity infill, redevelopment, and new development that integrate a mix of uses through an urban fabric that includes enhanced bicycle and pedestrian facilities. This tier is expected to have an improved street level experience and discourage auto-oriented and low intensity uses.</p>
2.1.2e	<p>Compact Neighborhood Tier Defined. This tier consists of areas surrounding proposed fixed guideway transit stations. These are areas identified for high density and intensity infill, redevelopment, and new development that integrate a mix of uses through an urban fabric that includes enhanced bicycle and pedestrian facilities. This tier is expected to have an improved street level experience and discourage auto-oriented and low intensity uses.</p>
2.2.4b	<p>Compact Neighborhood Development Tier Land Uses. Utilize a Design District for all Compact Neighborhoods through the Compact Neighborhood Plan process in order to make use of form-based code principles, create alternatives to automobile use, and create more “24-hour” places. If a plan has not been implemented the following uses are permitted: Recreation and Open Space, Residential, Institutional, Commercial, Office, and Industrial, limited to Light Industrial uses.</p>
2.3.1g	<p>Mixed Use Project Location. Direct and support the use of zoning tools that encourage mixed use in locations that avoid environmentally sensitive or hazardous environments, are well-connected by multiple modes of transportation, and are efficiently served by community infrastructure and services.</p>
2.3.1b	<p>Contiguous Development: Support orderly development patterns that take advantage of the existing urban services, and avoid, insofar as possible, patterns of leapfrog, noncontiguous, scattered development within the Urban Growth Area.</p>
2.3.1h	<p>Mixed Use Project Location. Direct and support the use of zoning tools that encourage mixed use in locations that avoid environmentally sensitive or hazardous environments, are well-connected by multiple modes of transportation, and are efficiently served by community infrastructure and services.</p>
8.1.2j	<p>Transportation Level of Service Maintenance: Not recommend approval for any zoning map change which would result in the average daily trips exceeding 110% of the adopted level of service standards for any adjacent road, unless the impact on the adjacent roads is mitigated.</p>
8.1.4c and d	<p>Development Review and the Adopted Bicycle Plans: Review development proposals in relation to the 2006 Comprehensive Durham Bicycle Transportation Plan and the Bicycle Component of the most recent adopted Long Range Transportation Plan, and seek dedication or reservation of right-of-way or easements and construction of facilities in conformance with that Plan and Complete Street design standards.</p>

Table E. Adopted Plans	
11.1.1a	School Level of Service Standard: The level of service for public school facilities shall be established as a maximum enrollment of 110 percent of the system's maximum permanent building capacity, measured on a system-wide basis for each type of facility.
11.1.1b	Adequate Schools Facilities: Recommend denial of all Zoning Map amendments that proposed to allow an increase in projected student generation over that of the existing zoning that would cause schools of any type to exceed the level of service.
Long Range Bicycle Plan	
Map 4-6 shows a proposed bicycle lane along both Farrington Road.	

Attachments:

14. Affordable Housing Around Transit Resolution

Appendix F: Site Conditions and Context Supporting Information

Table F. Site Context			
	Existing Uses	Zoning Districts	Overlays
North	Undeveloped, single-family residential	RS-20	F/J-B, MTC
East	Office, retail, Interstate right-of-way	OI(D), CN	F/J-B, MTC
South	Office, retail, Highway right-of-way	CN, CN(D), OI(D)	F/J-B, MTC
West	Undeveloped, single-family residential	RS-20	F/J-B, MTC

Appendix G: Infrastructure Supporting Information

Table G1. Road Impacts
<p>I-40, NC 54, and Farrington Road are the major roads impacted by the proposed zoning change. The NC 54-I40 Corridor Study proposes multiple roadway, transit, pedestrian, and bicycle related improvements in this area.</p> <p>NCDOT TIP Project U-5774 will provide improvements to NC 54 from Barbee Chapel Road to I-40 with construction of a grade separation at Farrington Road and an interchange at Falconbridge Road. This project is included in the State Transportation Improvement Program (STIP) with right-of-way in FY 2023 and construction in FY 2024.</p> <p>The applicant proposes a number of roadway improvements to mitigate the proposed site traffic impact. These improvements may impact multiple properties that are not part of this development plan. The applicant is responsible for acquiring additional right-of-way and/or construction easements needed to complete these roadway improvements in accordance with NCDOT and City of Durham standards.</p>

Affected Segments	Farrington Road	NC 54 Highway	Interstate-40
Current Roadway Capacity (LOS D) (AADT)	16,700	41,800	111,800
Latest Traffic Volume (AADT)	11,000	45,000	114,000
Traffic Generated by Present Designation (average 24 hour)*	6,010		
Traffic Generated by Proposed Designation (average 24 hour)**	9,611		
Impact of Proposed Designation	+3,601		

Source of LOS Capacity: FDOT Generalized Level of Service Volume Table 4-1 (2012)

Source of LOS Capacity: FDOT Generalized Level of Service Volume Table 4-1 (2012)

I-40: 6-lane Freeway

NC 54: 4-lane divided Class I arterial with exclusive left and right-turn lanes

Farrington Road: 2-lane undivided city/county Class II arterial with left and right-turn lanes

Source of Latest Traffic Volume: 2013 NCDOT Traffic Count Map

***Assumption- (Max Use of Existing Zoning)** – RS-20: 26 single-family lots, OI (D): 168,000 sf medical-dental office

****Assumption- (Max Use of Proposed Zoning)** – Per TIA: 600 apartments and 173,000 sf medical-dental office

Attachments

15. DDOT TIA Memorandum
16. NCDOT TIA Memorandum

Table G2. Transit Impacts
Transit service is currently provided within one-quarter mile of the site along NC 54 via Triangle Transit Routes 800 and 805.

Table G3. Utility Impacts
This site is served by City water and sewer.

Table G4. Drainage/Stormwater Impacts
The impacts of any change will be assessed at the time of site plan review. The subject site is of sufficient size and shape to accommodate appropriate stormwater facilities that may be required at this time.

Table G5. School Impacts
The proposed zoning is estimated to generate 206 students. This represents an increase of 192 students over the existing zoning. Durham Public Schools serving the site are Creekside Elementary School, Githens Middle School, and Jordan High School.

Students	Elementary School	Middle School	High School
Current Building Capacity	16,348	7,790	10,333
Maximum Building Capacity (110% of Building Capacity)	17,983	8,569	11,366
20th Day Attendance (2015-16 School Year)	15,939	7,046	10,375
Committed to Date (October 2012 – September 2016)	498	203	205
Available Capacity	1,546	1,320	786
Potential Students Generated – Current Zoning*	6	3	5
Potential Students Generated – Proposed Zoning**	90	48	68
Impact of Proposed Zoning	+84	+45	+63

*Assumption- (Max Use of Existing Zoning) – 40 single family homes

**Assumption- (Max Use of Proposed Zoning) – 600 single family homes

Table G6. Water Supply Impacts	
This site is estimated to generate a total of 81,975 GPD if developed to its maximum potential with the proposed zoning district. This represents an increase of 65,3450 GPD over the existing zoning district.	
Current Water Supply Capacity	37.00 MGD
Present Usage	21.27 MGD
Approved Zoning Map Changes (October 2012 – September 2015)	0.88 MGD
Available Capacity	14.85 MGD
Estimated Water Demand Under Present Zoning*	16,630 GPD
Potential Water Demand Under Proposed Zoning**	81,975 GPD
Potential Impact of Zoning Map Change	+65,345

Notes: MGD = Million gallons per day

*Assumption- (Max Use of Existing Zoning) –RS-20: 26 single-family lots, 168,000 sf office

**Assumption- (Max Use of Proposed Zoning) –500,000 sf office and 600 apartments

Table G7. Affordable Housing Impacts	
The proposed zoning permits an additional 600 dwelling units. This reduces the number of affordable housing units to 1.5% within the Leigh Village station area. This is below the stated goal of 15% in the “Affordable Housing Near Transit” Resolution (Attachment 7).	
Total Occupied Housing Units (Leigh Village Station Area**)	71
Affordable Occupied Housing Units (Leigh Village Station Area)*	10 (14.1%)
New Units Under Proposed Zoning	600
Affordable Units Under Proposed Zoning	0
Total Units with Proposed Zoning	671
Affordable Units with Proposed Zoning	10 (1.5%)

* Based on 60% Average Median Income (AMI) for a household of three

**Occupied residential within 1/2mile of the station. DU within ½ mile, but located on the east side of I-40, were excluded.

Appendix K: Summary of Planning Commission Meeting

Attachments:

17. Planning Commissioner’s Written Comments
18. Ordinance Form
19. Consistency Statement